

AMENDED IN SENATE APRIL 15, 2008

AMENDED IN SENATE APRIL 7, 2008

**SENATE BILL**

**No. 1348**

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**Introduced by Senator Cedillo**

**(Coauthors: Senators Aanestad, Alquist, Cox, Kuehl, Maldonado,  
Negrete McLeod, Ridley-Thomas, and Yee)**

February 20, 2008

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An act to amend Section 104150 of the Health and Safety Code,  
relating to breast cancer.

LEGISLATIVE COUNSEL'S DIGEST

SB 1348, as amended, Cedillo. Breast cancer screening services.

Existing law requires the State Department of Public Health to provide breast cancer and cervical cancer screening services under a federal grant made under the federal Centers for Disease Control and Prevention breast and cervical cancer early detection program to eligible low-income individuals. Funding for these services is provided by a combination of federal and state moneys.

Existing law requires these services to be provided at the level of funding budgeted from state and other resources during the fiscal year in which the Legislature has appropriated funds to the department for this purpose.

Pursuant to federal policy, breast cancer screening services are provided to qualified women who are at least 40 years of age.

This bill would, notwithstanding any other provision of law, require the department to provide breast cancer screening services to ~~any individual who meets~~ *individuals who are 40 years of age and older, provided the individual otherwise meets both state and federal eligibility requirements and to individuals who are under 40 years of age, provided*

*the individual otherwise meets the state eligibility requirements. This bill would specifically require the department to provide screening services to an individual under 40 years of age to receive screening services if the individual is considered to be at high risk for breast cancer, as defined by the federal Centers for Disease Control and Prevention breast and cervical cancer early detection program. This bill would provide that individuals eligible for screening services pursuant to the above provisions shall include asymptomatic women.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 104150 of the Health and Safety Code  
2 is amended to read:  
3 104150. (a) A provider or entity that participates in the grant  
4 made to the department by the federal Centers for Disease Control  
5 and Prevention breast and cervical cancer early detection program  
6 established under Title XV of the Public Health Service Act (42  
7 U.S.C. Sec. 300k et seq.) in accordance with requirements of  
8 Section 1504 of that act (42 U.S.C. Sec. 300n) may only render  
9 screening services under the grant to an individual if the provider  
10 or entity determines that the individual's family income does not  
11 exceed 200 percent of the federal poverty level.  
12 (b) (1) The department shall provide for cervical cancer  
13 screening services under the grant at the level of funding budgeted  
14 from state and other resources during the fiscal year in which the  
15 Legislature has appropriated funds to the department for this  
16 purpose. These screening services shall not be deemed to be an  
17 entitlement.  
18 (2) Notwithstanding any other provision of law, the department  
19 shall provide breast cancer screening services to ~~all individuals~~  
20 ~~who meet~~ *individuals who are 40 years of age and older, provided*  
21 *the individual otherwise meets both the state and federal eligibility*  
22 *requirements described in this section and to individuals who are*  
23 *under 40 years of age, provided the individual otherwise meets*  
24 *the state eligibility requirements described in this section. An*  
25 *individual under 40 years of age shall receive screening services*  
26 *if the individual is considered to be at high risk for breast cancer,*  
27 *as defined by the federal Centers for Disease Control and*

1 Prevention breast and cervical cancer early detection program.  
2 *Individuals eligible for screening services under this paragraph*  
3 *shall include asymptomatic women.*

4 (c) To implement the federal breast and cervical cancer early  
5 detection program specified in this section, the department may  
6 contract, to the extent permitted by Section 19130 of the  
7 Government Code, with public and private entities, or utilize  
8 existing health care service provider enrollment and payment  
9 mechanisms, including the Medi-Cal program's fiscal intermediary.  
10 However, the Medi-Cal program's fiscal intermediary shall only  
11 be utilized if services provided under the program are specifically  
12 identified and reimbursed in a manner that does not claim federal  
13 financial reimbursement. Any contracts with, and the utilization  
14 of, the Medi-Cal program's fiscal intermediary shall not be subject  
15 to Chapter 3 (commencing with Section 12100) of Part 2 of  
16 Division 2 of the Public Contract Code. Contracts to implement  
17 the federal breast and cervical cancer early detection program  
18 entered into by the department with entities other than the Medi-Cal  
19 program's fiscal intermediary shall not be subject to Part 2  
20 (commencing with Section 10100) of Division 2 of the Public  
21 Contract Code.